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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,778	01/17/2002	Orhan Earl Beckman	10016640-1	2741

7590 07/23/2008
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

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ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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07/23/2008

PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/051,778
Filing Date: January 17, 2002
Appellant(s): BECKMAN ET AL.

Charles W. Griggers
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 06 May 2008 appealing from the Office action mailed 01 November 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,948,040 A

DELORME ET AL

9-1999

(9) Grounds of Rejection

The following ground of rejection is applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3, 4, 7-9, 12, 13, and 15-44 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Delorme et al (USPN 5,948,040 A).

Regarding claim 7, Delorme et al teach a method for generating a publication (col. 18, lines 25-39) comprising:

inputting an ephemeral interest (temporal events of interest (EOIs), col. 17, lines 25-26) into a client by scanning a travel itinerary (various methods can be used at a desktop pc 105 including a scanner or reader input, col. 14, lines 53-65. Using a scanner or reader, a travel itinerary, travel guide, travel map, etc., can be scanned using the scanner and an image representation of the travel data can be shown on the monitor 115 with the Travel Reservation and Information System, "TRIPS" workstation 105.) to generate a digital representation of the travel itinerary (examples of preferred output, col. 15, lines 33-49), the travel itinerary including the ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication (e.g., travel plans, tickets, reservations, etc., see at least col. 15, lines 61-67 and col. 16, lines 1-5);

requesting the publication based at least in part upon the ephemeral interest from a publication system (from the Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60); and

printing out the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 37, Delorme et al teach inputting a user identifier into the client (inputting individual profile with an inherent user name/identifier, see at least col. 61, lines 10-16. The database substructure ACCT depicted on FIG. 4 records users' "name, address, credit

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card numbers and other personal or business data" to allow entering the registered user status "by user password entry, or by equivalent means".).

Regarding claim 39, Delorme et al teach maintaining a user profile that includes a number of source ratings associated with a corresponding number of content item sources (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 40, Delorme et al teach adding a new one of the source ratings to the user profile based upon a content item feedback received from a client (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 41, Delorme et al teach determining whether a content item is to be excluded from the publication based upon a content item source rating associated with the content item (using a ratings service 818 to "prune" various parts, see at least col. 64, lines 56-67).

Regarding claim 8, Delorme et al teach a method for generating a publication (col. 18, lines 25-39), comprising:

inputting an ephemeral interest (temporal events of interest (EOIs), col. 17, lines 25-26) into a client by scanning a ticket to an event to generate a digital representation of the ticket (various methods can be used at a desktop pc 105 including a scanner or reader input, col. 14, lines 53-65), the ticket including the ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication (the scan reader acts on a bar-code 147 indicating a content item such as a reservation 147 of Fig. 1B);

requesting the publication based at least in part upon the ephemeral interest from a publication system (requested from the Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60); and

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printing out the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 3, Delorme et al teach the method of claim 8, wherein the inputting of the ephemeral interest into the client further comprises:

inputting an ephemeral interest reference into the client (temporal events of interest (EOIs), col. 17, lines 25-26); and

obtaining the ephemeral interest from a reference mapper (from the "TRIPS" database) based upon the ephemeral interest reference.

Regarding claim 4, Delorme et al teach the method of claim 8, further comprising inputting a relative weight of the ephemeral interest into the client, the relative weight indicating a proportionality to be afforded to the ephemeral interest relative to an enduring interest in identifying the at least one content item to be included in the publication ("TRIPS" facilitates searching, ranking, "filters" or sorting and/or user-selection of TRIPS data records, col. 53, lines 38-44).

Regarding claim 38, Delorme et al teach the method of claim 8, further comprising inputting a user identifier into the client (inputting individual profile with an inherent user name/identifier, see at least col. 61, lines 10-16. The database substructure ACCT depicted on FIG. 4 records users' "name, address, credit card numbers and other personal or business data" to allow entering the registered user status "by user password entry, or by equivalent means".).

Regarding claim 42, Delorme et al teach the method of claim 8, further comprising maintaining a user profile that includes a number of source ratings associated with a corresponding number of content item sources (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 43, Delorme et al teach the method of claim 42, further comprising adding a new one of the source ratings to the user profile based upon a content item feedback received from a client (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 44, Delorme et al teach the method of claim 42, further comprising determining whether a content item is to be excluded from the publication based upon a content item source rating associated with the content item (using a ratings service 818 to “prune” various parts, see at least col. 64, lines 56-67).

Regarding claim 9, Delorme et al teach a computer readable medium encoded with a program for causing a computer (Travel Reservation and Information System, “TRIPS”, col. 6, lines 56-60) computer to generate a publication, the program comprising:

code that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, and the ephemeral interest further comprises at least one portion of a travel itinerary (temporal events of interest (EOIs), col. 17, lines 25-26 and TRIPS travel plans often include related multiple screens, digital frames and/or pages or sheets of paper, for longer, more complicated, itineraries and/or to show more detail at the user's option, see at least FIG. 1B);

code that generates a request for the publication based at least in part upon the ephemeral interest (e.g., travel plans, tickets, reservations, etc., see at least col. 15, lines 61-67 and col. 16, lines 1-5) from a publication system, wherein the request is to be applied to the publication system (from the Travel Reservation and Information System, “TRIPS”, col. 6, lines 56-60); and

code that executes a printing of the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 12, Delorme et al teach the code that inputs a relative weight of the ephemeral interest into the client, the relative weight indicating a proportionality to be afforded to the ephemeral interest relative to an enduring interest in identifying the at least one content item to be included in the publication ("TRIPS" facilitates searching, ranking, "filters" or sorting and/or user-selection of TRIPS data records, col. 53, lines 38-44).

Regarding claim 13, Delorme et al teach the code that inputs the ephemeral interest further comprises code that parses an amount of data in a digital representation of a scanned document to identify the ephemeral interest included therein (the scan reader acts on a bar-code 147 indicating a content item such as a reservation 147 of Fig. 1B).

Regarding claim 15, Delorme et al teach a computer readable medium encoded with a program for causing a computer (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60) computer to generate a publication, the program comprising:

code that inputs an ephemeral interest (e.g., travel plans, tickets, reservations, etc., see at least col. 15, lines 61-67 and col. 16, lines 1-5), wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, wherein the ephemeral interest further comprises at least one portion of a ticket to an event (e.g., travel plans, tickets, reservations, etc., see at least col. 15, lines 61-67 and col. 16, lines 1-5 and temporal events of interest (EOIs), col. 17, lines 25-26);.

code that generates a request for the publication based at least in part upon the ephemeral interest from a publication system, wherein the request is to be applied to the publication system (from the Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60); and

code that executes a printing of the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 16, Delorme et al teach a system for generating a publication (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60), comprising:

means for inputting (various methods can be used at a desktop pc 105 including a scanner or reader input, col. 14, lines 53-65) an ephemeral interest (temporal events of interest (EOIs), wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, and the ephemeral interest comprising:

at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (e.g., travel plans, tickets, reservations, etc., see at least col. 15, lines 61-67 and col. 16, lines 1-5);

means for generating a request for the publication based at least in part upon the ephemeral interest from a publication system, wherein the request is to be applied to the publication system (from the Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60); and

means for executing a printing of the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 17, Delorme et al teach a system for generating a publication (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60), comprising:

a processor circuit having a processor and a memory (processor, ample memory, col. 72, lines 44-50);

a point of publication system (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60) stored in the memory and executable by the processor, the point of publication system including:

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logic that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication (temporal events of interest (EOIs), col. 17, lines 25-26), and the ephemeral interest comprising:

at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (TRIPS contains paper or sheet media maps, travel directions, itineraries or travel schedules, reservation/discount offer/ticket documents, supplemental text and/or graphic information about events of interest (EOI) or points of interest (POI) 109, col. 15, lines 35-39);

logic that generates a request for the publication based at least in part upon the ephemeral interest from a publication system, wherein the request is to be applied to the publication system (from the Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60); and

logic that executes a printing of the publication received from the publication system, the publication including the at least one content item (col. 15, lines 35-39).

Regarding claim 18, Delorme et al teach a system of claim 17, wherein the logic that inputs the ephemeral interest further comprises logic that parses an amount of data in a digital representation of a scanned document to identify the ephemeral interest included therein (the scan reader acts on a bar-code 147 indicating a content item such as a reservation 147 of Fig. 1B).

Regarding claim 19, Delorme et al teach a system of claim 17, further comprising logic that inputs a relative weight of the ephemeral interest into the client, the relative weight indicating a proportionality to be afforded to the ephemeral interest relative to an enduring interest in identifying the at least one content item to be included in the publication ("TRIPS" facilitates searching, ranking, "filters" or sorting and/or user-selection of TRIPS data records, col. 53, lines 38-44).

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Regarding claim 20, Delorme et al teach a method for generating a publication, comprising:

identifying a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest (temporal events of interest (EOIs), col. 17, lines 25-26), and the ephemeral interest comprising:

at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (TRIPS contains paper or sheet media maps, travel directions, itineraries or travel schedules, reservation/discount offer/ticket documents, supplemental text and/or graphic information about events of interest (EOI) or points of interest (POI) 109, col. 15, lines 35-39);

formatting the publication for printing (format controls, col. 27, lines 30-38) by a client; and transmitting the publication to the client for printing (col. 15, lines 35-39).

Regarding claim 21, Delorme et al teach a method of claim 20, wherein the identifying of the number of content items to be included in the publication further comprises performing a search among a number of potential content items for the content items that convey the information associated with the ephemeral interest (inquiries can be initiated in any of the four main input menus, then followed-up by later browsing or searches in any of the four related TRIPS Subsystems--with user selection of variations and options in focus, order, content, parameters, levels of detail, extent of integration between successive steps, automated versus manual execution of ensuing operations, accumulation, computerized filtering and/or user editing of the emerging travel information output, and so forth--in response to the travel-related concerns, interests and requirements of individual TRIPS users, col. 26, lines 18-28).

Regarding claim 22, Delorme et al teach a method of claim 20, further comprising maintaining a user profile that includes an enduring interest associated with a user (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 23, Delorme et al teach a method of claim 22, wherein the identifying of the number of content items to be included in the publication further comprises performing a search among a number of potential content items for the content items that convey information associated with both the ephemeral interest and the enduring interest (inquiries can be initiated in any of the four main input menus, then followed-up by later browsing or searches in any of the four related TRIPS Subsystems--with user selection of variations and options in focus, order, content, parameters, levels of detail, extent of integration between successive steps, automated versus manual execution of ensuing operations, accumulation, computerized filtering and/or user editing of the emerging travel information output, and so forth--in response to the travel-related concerns, interests and requirements of individual TRIPS users, col. 26, lines 18-28).

Regarding claim 24, Delorme et al teach a method of claim 22, wherein the identifying of the number of content items for the publication further comprises:

performing a first search for a number of ephemeral content items conveying information associated with the ephemeral interest ("Where", col. 23, lines 1-3); and

performing a second search for a number of enduring content items conveying information associated with the enduring interest ("When", col. 23, lines 5-7).

Regarding claim 25, Delorme et al teach a method of claim 24, wherein the identifying of the number of content items for the publication further comprises identifying a first number of the ephemeral content items and a second number of enduring content items for inclusion in the publication based upon a relative weight established between the ephemeral and the enduring

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interests ("TRIPS" facilitates searching, ranking, "filters" or sorting and/or user-selection of TRIPS data records, col. 53, lines 38-44).

Regarding claim 26, Delorme et al teach a method of claim 20, further comprising maintaining a user profile that includes a number of source ratings (using a ratings service 818, see at least col. 64, lines 56-67) associated with a corresponding number of content item sources ("TRIPS" facilitates searching, ranking, "filters" or sorting and/or user-selection of TRIPS data records, col. 53, lines 38-44).

Regarding claim 27, Delorme et al teach a method of claim 26, further comprising adding a new one of the source ratings to the user profile based upon a content item feedback received from a client (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 28, Delorme et al teach a method of claim 26, further comprising determining whether a content item is to be excluded from the publication based upon a content item source rating associated with the content item (using a ratings service 818 to "prune" various parts, see at least col. 64, lines 56-67).

Regarding claim 29, Delorme teaches a computer readable medium encoded with a program for causing a computer (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60) computer to generate a publication, the program comprising:

code that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest (temporal events of interest (EOIs), col. 17, lines 25-26), and the ephemeral interest comprising:

at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (TRIPS contains paper or sheet media maps, travel directions, itineraries or travel schedules, reservation/discount offer/ticket documents, supplemental text and/or graphic information about events of interest (EOI) or points of interest (POI) 109, col. 15, lines 35-39);

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code that formats the publication (format controls, col. 27, lines 30-38) for printing by a client; and

code that transmits the publication to the client for printing (col. 15, lines 35-39).

Regarding claim 30, Delorme et al teach a program embodied in a computer readable medium of claim 29, wherein the code that identifies the number of content items to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with the ephemeral interest (inquiries can be initiated in any of the four main input menus, then followed-up by later browsing or searches in any of the four related TRIPS Subsystems--with user selection of variations and options in focus, order, content, parameters, levels of detail, extent of integration between successive steps, automated versus manual execution of ensuing operations, accumulation, computerized filtering and/or user editing of the emerging travel information output, and so forth--in response to the travel-related concerns, interests and requirements of individual TRIPS users, col. 26, lines 18-28).

Regarding claim 31, Delorme et al teach a program embodied in a computer readable medium of claim 29, further comprising code that maintains a user profile that includes an enduring interest associated with a user (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 32, Delorme et al teach a program embodied in a computer readable medium of claim 31, wherein the code that identifies the number of content items to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with both the ephemeral interest and the enduring interest (inquiries can be initiated in any of the four main input menus, then followed-up by later browsing or searches in any of the four related TRIPS

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Subsystems--with user selection of variations and options in focus, order, content, parameters, levels of detail, extent of integration between successive steps, automated versus manual execution of ensuing operations, accumulation, computerized filtering and/or user editing of the emerging travel information output, and so forth--in response to the travel-related concerns, interests and requirements of individual TRIPS users, col. 26, lines 18-28).

Regarding claim 33, Delorme et al teach a program embodied in a computer readable medium of claim 29, further comprising code that adds a source rating to a user profile based upon a content item feedback received from a client (using a ratings service 818, see at least col. 64, lines 56-67).

Regarding claim 34, Delorme et al teach a program embodied in a computer readable medium of claim 33, further comprising code that determines whether a content item is to be excluded from the publication based upon a respective one of a number of source ratings that is associated with the content item (using a ratings service 818 to “prune” various parts, see at least col. 64, lines 56-67).

Regarding claim 35, Delorme et al teach a system for generating a publication (Travel Reservation and Information System, “TRIPS”, col. 6, lines 56-60), comprising:

means for identifying a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (TRIPS contains paper or sheet media maps, travel directions, itineraries or travel schedules, reservation/discount offer/ticket documents, supplemental text and/or graphic information about events of interest (EOI) or points of interest (POI) 109, col. 15, lines 35-39);

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means for formatting (format controls, col. 27, lines 30-38) the publication for printing by a client; and means for transmitting the publication to the client for printing (col. 15, lines 35-39).

Regarding claim 36, Delorme teaches a system for generating a publication (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60), comprising:

a processor circuit having a processor and a memory (processor, ample memory, col. 72, lines 44-50);

a publication system (Travel Reservation and Information System, "TRIPS", col. 6, lines 56-60) stored in the memory and executable by the processor, the publication system including:

logic that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both (TRIPS contains paper or sheet media maps, travel directions, itineraries or travel schedules, reservation/discount offer/ticket documents, supplemental text and/or graphic information about events of interest (EOI) or points of interest (POI) 109, col. 15, lines 35-39);

logic that formats the publication for printing by a client (format controls, col. 27, lines 30-38); and

logic that transmits the publication to the client for printing (col. 15, lines 35-39).

(10) Response to Argument

Applicants' Claims 7, 37 and 39-41

Applicants *respectfully* submit that independent claim 7 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least "inputting an ephemeral interest into a client by scanning a travel itinerary to generate a digital representation of the travel itinerary, the travel itinerary including the ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication" or **"requesting the publication based at least in part upon the ephemeral interest from a publication system,"** as emphasized above.

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Note: An ephemeral interest is defined as an interest that lasts for a certain amount of time or an interest that will expire at a certain time (e.g., a concert, a tennis match, a plane flight, a hotel reservation, etc.).

Examiner responds that this method is clearly achieved by DeLorme in using a scanner or reader, to scan a travel itinerary (ephemeral interest), travel guide (ephemeral interest), travel map (ephemeral interest), travel ticket (ephemeral interest), etc., into the scanner and creating a representation of the travel data which can be shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that "includes related attractions, events, or seasonal activities confined exclusively to "their" accommodations or local venue", col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

As clearly taught by Delorme et al, the TRIPS-generated printed publication 109 is printed with encoding such as barcodes that can be read by a scanner or a reader, col. 8, lines 55-65. Examiner previously explained that there is also a scanner and a reader (a scanner or reader input, col. 14, lines 53-65) at the same TRIPS-workstation that generated the publication. It is therefore inherent that the publication's barcodes can be scanned/read at the same workstation, to alter the information that a user may want to change and print an altered publication with added or altered temporal interests.

Applicants' Claims 3-4, 8, 38 and 42-44

Applicants respectfully submit that independent claim 8 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least "inputting an ephemeral interest into a client by scanning a ticket to an event to generate a digital representation of the ticket, the ticket including the ephemeral interest, wherein the ephemeral interest is of use in

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identifying at least one content item to be included in the publication" or **"requesting the publication based at least in part upon the ephemeral interest from a publication system,"** as emphasized above.

Examiner responds that this method is clearly achieved by DeLorme in using a scanner or reader, to scan a travel itinerary (ephemeral interest), travel guide (ephemeral interest), travel map (ephemeral interest), travel ticket (ephemeral interest), etc., into the scanner and creating a representation of the travel data which can be shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1.

When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that "includes related attractions, events, or seasonal activities confined exclusively to "their" accommodations or local venue", col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication 109.

As clearly taught by Delorme et al, the TRIPS-generated printed publication is printed with encoding such as barcodes that can be read by a scanner or a reader, col. 8, lines 55-65. Examiner previously explained that there is also a scanner and a reader (a scanner or reader input, col. 14, lines 53-65) at the same TRIPS-workstation that generated the publication. It is therefore inherent that the publication's barcodes can be scanned/read at the same workstation, to alter the information that a user may want to change and print an altered publication with added or altered temporal interests.

Applicants' Claims 9 and 12-13

Applicants respectfully submit that independent claim 9 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least "code that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, and the ephemeral interest further comprises at least one portion of a travel itinerary" or **"code that generates a request for the publication based at least in part upon the ephemeral interest from a publication system,** wherein the request is to be applied to the publication system," as emphasized above.

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Examiner responds that this method is clearly achieved by DeLorme where a user inputs/requests temporal events of interest (EOIs), col. 17, lines 25-26 and a customized plan output is created, col. 17, lines 14-18 and printed at printer 121 of figure 1A. This activity is accomplished by computer algorithms (i.e., code) in the TRIPS system of Delorme et al. The user input is read by Examiner as code, as well as the TRIPS-system's software processing of the user input(s). The TRIPS-system of Delorme et al inherently uses software code to process input. Travel planning inherently uses ephemeral interests of a user to achieve a satisfying travel experience, which is achieved with the disclosure at col. 17, lines 14-43. Inquiries by a user are the same as interests because the user is inquiring about things that are of interest to the user on a trip. The inquired subject is included as a content item to be included in the publication if the user desires to keep the item as part of the travel plan.

Applicants' Claim 15

Applicants respectfully submit that independent claim 15 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least "code that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, wherein the ephemeral interest further comprises at least one portion of a ticket to an event" or **"code that generates a request for the publication based at least in part upon the ephemeral interest from a publication system, wherein the request is to be applied to the publication system,"** as emphasized above.

Examiner responds that this computer readable medium with program code is clearly achieved by DeLorme (CD-ROM, see at least col. 13, line 58 – col. 14, line 18) where a user inputs/requests temporal events of interest (EOIs), col. 17, lines 25-26 and a customized plan output is created, col. 17, lines 14-18 and printed at printer 121 of figure 1A. This activity is accomplished by computer algorithms (i.e., code) in the TRIPS system of Delorme et al. The user input is read by Examiner as code, as well as the TRIPS-system's software processing of the user input(s). The TRIPS-system of Delorme et al inherently uses software code to process input. Travel planning inherently uses ephemeral interests of a user to achieve a satisfying

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travel experience, which is achieved with the disclosure at col. 17, lines 14-43. Inquiries by a user are the same as interests because the user is inquiring about things that are of interest to the user on a trip. The inquired subject is included as a content item to be included in the publication if the user desires to keep the item as part of the travel plan.

Applicants' Claim 16

Applicants respectfully submit that independent claim 16 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least "means for inputting an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both" or **"means for generating a request for the publication based at least in part upon the ephemeral interest from a publication system, wherein the request is to be applied to the publication system,"** as emphasized above.

Examiner responds that this system means is interactively achieved by DeLorme et al by a user responding to the questions "WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that "includes related attractions, events, or seasonal activities confined exclusively to "their" accommodations or local venue", col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

Applicants' Claim 17

Applicants respectfully submit that independent claim 17 is allowable for at least the reason that *Delorme* does not disclose, teach, or suggest at least "logic that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both" or **"logic that generates a request for the publication based at least in part upon the ephemeral interest from a**

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publication system, wherein the request is to be applied to the publication system," as emphasized above.

Examiner responds that this system logic is interactively achieved by DeLorme et al by a user responding to the questions "WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that "includes related attractions, events, or seasonal activities confined exclusively to "their" accommodations or local venue", col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

Applicants' Claims 20-28

Applicants respectfully submit that independent claim 20 is allowable for at least the reason that *Delorme* does not disclose, teach, or suggest at least **"identifying a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both,"** as emphasized above.

Examiner responds that this method is interactively achieved by DeLorme et al by a user responding to the questions "WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. The travel itinerary inputs are ephemeral (temporal) inputs that the TRIPS system identifies as content items that convey a portion of a user's travel itinerary (an answer to WHERE?), a ticket (an answer to WHAT?) or both if the user desires to include both in the travel plans. When the user creates the document

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for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that “includes related attractions, events, or seasonal activities confined exclusively to “their” accommodations or local venue”, col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

Applicants’ Claims 29-34

Applicants respectfully submit that independent claim 29 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least **“code that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both,”** as recited and emphasized above in claim 29.

Examiner responds that this code is interactively achieved by DeLorme et al by a user responding to the questions “WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, “TRIPS” workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. The travel itinerary inputs are ephemeral (temporal) inputs that the TRIPS system identifies as content items that convey a portion of a user’s travel itinerary (an answer to WHERE?), a ticket (an answer to WHAT?) or both if the user desires to include both in the travel plans. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that “includes related attractions, events, or seasonal activities confined exclusively to “their” accommodations or local venue”, col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

Applicants’ Claim 35

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Applicants respectfully submit that independent claim 35 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least **"means for identifying a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both,"** as emphasized above.

Examiner responds that this system means is interactively achieved by DeLorme et al by a user responding to the questions "WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be included as a publication document that "includes related attractions, events, or seasonal activities confined exclusively to "their" accommodations or local venue", col. 13, lines 65-67. An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

Applicants' Claim 36

Applicants respectfully submit that independent claim 36 is allowable for at least the reason that *DeLorme* does not disclose, teach, or suggest at least **"logic that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest, and the ephemeral interest comprising: at least a portion of a travel itinerary, at least a portion of a ticket to an event, or both,"** as recited and emphasized above in claim 36.

Examiner responds that this system logic is interactively achieved by DeLorme et al by a user responding to the questions "WHERE?, WHAT?, WHEN?, and HOW? shown on the monitor 115 or stored in memory of the Travel Reservation and Information System, "TRIPS" workstation 105 shown in figure 1A, that are asked by the TRIPS and confirming the TRIPS-created travel itinerary to generate a printed travel publication 109. When the user creates the document for printout as a publication 109 of figure 1A, any scanned information can be

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included as a publication document that “includes related attractions, events, or seasonal activities confined exclusively to “their” accommodations or local venue”, col. 13, lines 65-67.

An input into the TRIPS workstation can be achieved by a scanned document, a user inquiry, or using a reader to read codes on a publication.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Thomas J. Lett/

Examiner, Art Unit 2625

Conferees:

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625

/Twyler L. Haskins/

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